

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 2:06-CR-089(1)
JUDGE EDMUND A. SARGUS, JR.

BRADLEY ALDRIDGE,

Defendant.

ORDER

This matter is before the Court on Defendant Bradley Aldridge's Motion for Modification and Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)(2) (Doc. 74) and Motion for Status Hearing and Clarification of Sentence (Doc. 76), both of which are opposed by the Government. On February 1, 2007, Defendant was sentenced to a total of 192 months after pleading guilty to the charges of conspiracy to distribute more than 50 grams of crack cocaine base and possession of a firearm in furtherance of a drug trafficking crime.

Defendant's guideline sentence was based not on the crack cocaine guideline, but on his career offender status, as defined in United States Sentencing Guidelines ("U.S.S.G.") § 4B1.1. Based on his prior convictions, Defendant's base offense level was calculated at 37; Defendant received credit for acceptance of responsibility, reducing his final offense level to 34. The Court, therefore, did not establish his guideline range based on the crack cocaine provision in U.S.S.G. § 2D1.1, which has been amended. Consequently, Defendant is not eligible for a reduction of sentence as a matter of law, and his motions (Docs. 74 and 76) are **DENIED**.

IT IS SO ORDERED.

4-4-2012

DATED


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE